

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte KEVIN A. LAYNE

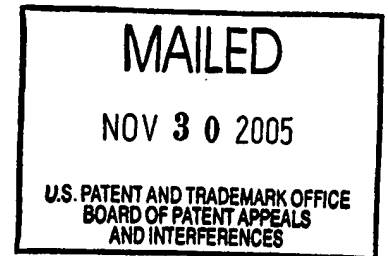
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Appeal No. 2005-0885  
Application 09/435,198<sup>1</sup>

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ON BRIEF

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Before HAIRSTON, BARRETT, and GROSS, Administrative Patent Judges.

BARRETT, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the final rejection of claims 1-21.

We reverse.

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<sup>1</sup> Application for patent filed November 5, 1999, entitled "Collection Agency Data Access Method."

### BACKGROUND

The invention relates to a method for allowing selective access by a client of a collection agency to information about debt collection by the collection agency from a remote site, such as over the Internet.

Claim 1 is reproduced below.

1. A method for allowing selective access by a client of a collection agency to information from debt collection by the collection agency, comprising:

storing a plurality of account data items in a database, each data item being associated with an account belonging to the client of the collection agency, the plurality of data items including information relating to debt owed to the client by one or more debtors;

processing database access requests with a network server from a user process controlled by a remote user;

processing credentials to authenticate the remote user as a client representative; and

processing data access requests in accordance with a defined access scheme such that the client representative can access only data items associated with an account belonging to that client to allow remote review and reporting of the account data items.

### THE REFERENCES

The examiner relies on the following references:

Smith	5,822,400	October 13, 1998
Goode et al. (Goode)	6,163,272	December 19, 2000
		(filed October 25, 1996)

Blenheim debt agency first on Net with credit checking, NEW ZEALAND: NEW INTERNET SERVICE BY CREDITMENS, NZInfoTechWeekly (XXX), September 28, 1998 (Blenheim).

### THE REJECTION

Claims 1-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith, Goode, and Blenheim.

We refer to the final rejection (pages referred to as "FR\_\_") entered December 23, 2003, and the examiner's answer (pages referred to as "EA\_\_") entered September 7, 2004, for a statement of the examiner's rejection, and to the brief (pages referred to as "Br\_\_") filed May 28, 2004, and reply brief (pages referred to as "RBr\_\_") filed November 12, 2004, for a statement of appellant's arguments thereagainst.

### OPINION

#### Note: missing drawing in image file wrapper

Figure 6 does not appear to be present in the image file wrapper (IFW). We note that the notice of draftsperson's patent drawing review indicates that Figs. 1-6 have drawing problems, so it appears that Fig. 6 was in the case, but perhaps inadvertently not scanned in. Appellant and the examiner should ensure that Fig. 6 is put into the IFW.

#### Obviousness

The examiner's rejection states (FR3; EA4-5):

Smith discloses the claimed device [sic, method] except for credential processing to authenticate the identity of the client representative with a plurality of access tiers and is silent regarding client access to updated account information. Goode et al. discloses that it is [sic, was] known in the art to provide an authentication system which processes credentials of users to verify and control access

to different levels of information for security purposes and Blenheim Debt Agency discloses that it is [sic, was] known in the art of debt collection for the client (finance companies and retailers) to access their debtor's collection information over the Internet because its [sic] cheaper and inexpensive. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the method of Smith with the access by the client as taught by Blenheim Debt Agency and plurality of access tiers with id authentication of Goode et al., in order to allow the client to track the collection agent[']s progress quickly and inexpensively and to check the status of their debtor's accounts while controlling access to information for security purposes.

Smith discloses a call record scheduling system for prioritizing call records for an outbound dialing system (abstract). One application is for bill collection. Call records are downloaded from a host 16 to a call account manager workstation 18 (col. 3, lines 53-55) which includes a call center record manager 26 which allows the call records to be scheduled and dialed in a particular predetermined order based on various criteria such as priority and time (col. 4, lines 17-20). Computerized autodialer 10 will automatically dial telephone numbers from downloaded call records and can detect if a telephone call is answered and, if it is, will connect the called party to an agent workstation 12a-12n (col. 3, lines 59-67). Call records 28 (Fig. 2) contain customer-specific information "such as an account identifier 29, the amount owed on a collection amount 31, the past due date 32 on such an account, one or more customer phone numbers 39, as well as other customer specific information" (col. 4, lines 27-31). Thus, when a call

is placed, the bill collection agent has the account information on his or her workstation for discussion with the customer.

We agree with the examiner that Smith teaches "storing a plurality of account data items in a database, each data item being associated with an account belonging to the client of the collection agency, the plurality of data items including information relating to debt owed to the client by one or more debtors" because the call records can relate to debt collection by a collection agency and would inherently belong to a client of the collection agency. However, there are many differences between Smith and the subject matter of claim 1. First, an agent at one of the workstations 12a-12n is an agent/employee of the collection agency, not a "client of a collection agency" (claim 1, preamble). Second, the collection agents in Smith have access to all records of all persons in the collection agency, so there is no teaching or suggestion of "allowing selective access by a client of a collection agency to information from debt collection by the collection agency" (claim 1, preamble). Third, the agents do not provide "access requests" because the call records are automatically downloaded to their workstations for use in discussions with the debtor. Fourth, there is no "processing database access requests with a network server from a user process controlled by a remote user" because the agents are not "remote" on a network but are served directly by the local

host (the examiner has not advanced any interpretation of "remote" that might counter this interpretation). Fifth, in the limitation of "processing credentials to authenticate the remote user as a client representative," there is no "processing credentials to authenticate," as found by the examiner; however, we also find that there is no "remote user" because the users are not "remote" on a network and an agent is not a "client [of the collection agency] representative," as previously discussed. Sixth, there is no "processing data access requests in accordance with a defined access scheme" because agents have access to all information of the collection agency. Seventh, there is no teaching that "the client representative can access only data items associated with an account belonging to that client" because the agents are not a client representative and are not restricted to data items for a single client. And, eighth, there is no teaching of the purpose, "to allow remote review and reporting of the account data items," because the agents are not "remote" on the network and the account data items in Smith are not limited to the client account data items of claim 1. Thus, when the claim language is read carefully, there are many more differences than identified by the examiner.

Goode is directed to a method for restricting access, in an interactive information distribution system, such as video-on-demand, to only those customers with authorized access to

particular services provided by the system (col. 2, lines 2-5). Access is controlled by a personal identification number (PIN), so that access may be controlled based on, for example, rating or genre (e.g., col. 5, lines 26-29). Goode broadly teaches "processing credentials to authenticate the ... user," where the PIN is the credential, and broadly teaches "selective access" to tiers of information. We do not necessarily agree with appellant's argument (Br6) that Goode is nonanalogous prior art, because it does teach selective access to information. However, we agree with appellant's argument (Br6) that Smith would not benefit from Goode's access tiers with ID authentication because all agents in Smith receive all information and there is no need for selective access. Goode does not cure the deficiencies of Smith with regard to the differences previously enumerated, such as "an account belonging to the client of the collection agency," the "data items including information relating to debt owed to the client by one or more debtors," and "a defined access scheme such that the client representative can access only data items associated with an account belonging to that client."

Blenheim relates to providing "consumer credit card details on the Internet" to customers that include "finance companies and retailers" over the Internet. Blenheim teaches that the customers apply for the service and must logon and pay NZ\$ 4 for each query. Although the service is provided by Blenheim debt

collection agency Creditmans, the service is for credit checking, not (at least as disclosed) checking accounts belonging to a client of a collection agency. The "customer" in Blenheim is not a "client of a collection agency," but is a client of a credit information service; the customer may or may not have any debt owed by the debtor whose credit is being checked. We agree with appellant's argument that "the clients do not necessarily have a relation to the debtors whatsoever" (Br6). The examiner's finding that Blenheim "teaches that it is [sic, was] known in the art of debt collection for a client to access their debtor's collection information over the Internet because it is inexpensive and provides up to date information" (EA5) does not accurately describe the teachings of Blenheim, which do not discuss debt collection and a client of a collection agency accessing information relating to debt owed to the client. The customers in Blenheim may access any person in the system and there is no restriction on access to debtors of a client of a collection agency (as noted, the customers are not stated to be clients of a collection agency). We agree with appellant's argument that Blenheim "is directed to a system that provides access of a database of individual debtor accounts to several clients, rather than restricting the access" (Br6). Thus, while Blenheim teaches accessing a credit related account over the Internet using some sort of authentication (the logon), Blenheim



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does not cure the deficiencies of Smith for the same reasons as discussed in connection with Goode.

We conclude that the examiner has failed to establish a prima facie case of obviousness with respect to claim 1. Accordingly, the rejection of claims 1-21 is reversed.

REVERSED

  
KENNETH W. HAIRSTON  
Administrative Patent Judge

  
LEE E. BARRETT  
Administrative Patent Judge

*Anita Pellman Gross*  
ANITA PELLMAN GROSS  
Administrative Patent Judge

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Application 09/435,198

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